IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER ST.NO.3226 OF 1993

Mahanagar Telephone Nigam Ltd. ...Appellant
vs.
M.I.Basheer & Anr. ...Respondents

Ms S.I.Shah for the Appellant

CORAM: A.S.OKA,J.
DATE : APRIL 29,2005.

P.C.:

1. Heard Counsel appearing for the Appellant. The challenge in this Appeal is to the order dated 14th October 1992 by which interim relief has been granted in favour of the Respondents-Plaintiffs.

2. The order granting temporary injunction is a discretionary order. Such discretionary relief granted in favour of the Respondents is operating for more than 12 years. Hence, no interference is called for with the impugned order at this stage. Accordingly, Appeal from Order is dismissed with no order as to costs.

3. If the suit is pending in the Trial Court, the same will be decided by the Trial Court in accordance with law and without being influenced by the prima facie findings recorded in the impugned Judgment and Order.

4. Hearing of the suit is expedited.

5. Parties to act upon authenticated copy of this order.

JUDGE.